

REMARKS

Claims 1-29 are pending. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The applicants note that an Abstract of the Disclosure appears in the published application, U.S. Patent Application Publication No. US 2005/0256963, published on November 17, 2005. Applicants therefore do not believe that an Abstract of the Disclosure is required.

Claims 1-29 were rejected under 35 USC 102(e) as being allegedly anticipated by Bertonis et al., U.S. Patent Application Publication No. US 2003/0185163 A1 (hereinafter "Bertonis"). The applicants respectfully request that this rejection be withdrawn for the following reasons.

Applicants first note that in accordance with, for example, the invention of independent claim 1, which has been amended herein for clarity, the base unit communicates with at least one client unit using a protocol requiring the base unit and the at least one client unit *to receive and transmit information on a same frequency* chosen from at least two available frequencies. The base unit identifies which of the at least two available frequencies is chosen in a control parameter transmitted in a protocol message associated with the protocol. Further in accordance with claim 1, a modified control parameter is transmitted so that the chosen frequency does not correspond to a channel upon which the base station is operating, e.g. to reduce the potential for interference between repeated communications and other base station communications.

In stark contrast, the repeater described in Bertonis requires different dedicated transmit and receive frequencies on *both* the upstream and down stream side for a total of four different frequency channels. Accordingly, Bertonis necessarily fails to disclose a base unit communicating with a client using a protocol requiring the base unit and client to receive and

transmit information on a same frequency channel as required by claim 1 as described above. Further Bertonis is silent with regard to communicating a control parameter, much less a modified control parameter as specifically claimed.

With regard to independent claim 7, a wireless network includes one or more base units that can transmit on a first of at least two frequency channels and one or more client units that can transmit on a second of the frequency channels. The base units can transmit a channel identifier. The claimed apparatus comprises a frequency translating repeater configured to receive the channel identifier identifying the second one of the frequency channels as designated for communications with the base unit. A first information signal from the base units is detected on the first frequency channel and retransmitted on the second frequency channel in accordance with the channel identifier. A second information signal from the client unit is detected on the second frequency channel and retransmitted on the first frequency channel.

Again, in stark contrast, Bertonis describes an upstream channel centered on a first frequency such as, for example, 2.4 GHz or 5.3 GHz and a separate downstream channel centered on 5.8 GHz. Bertonis therefore fails to disclose bidirectional communications, e.g. upstream and downstream, on the same frequency channel made possible in accordance with the claimed invention, e.g. between the base unit and the client unit on one of the two frequency channels in accordance with the channel identifier, particularly since Bertonis notably fails to disclose the use of a channel identifier.

Applicants incidentally note that claim 7 is amended for clarity only to move the phrase “in accordance with the channel identifier” from directly after the phrase “the retransmission on the first frequency channel” to directly after the phrase “on the second of the at least two frequency channels” since the channel identifier was previously clearly recited as identifying the

second frequency channel as being designated. Since the amendment was for clarity only and not for reasons related to patentability, the amendment has not narrowed the scope of the claims under, for example, the *Festo* doctrine.

With regard to independent claim 14, by way of brief review, a wireless network includes one or more base units and client units. The base units are capable of transmitting on a first one of at least two frequency channels and the client units are capable of transmitting on the second one of the frequency channels. The base units transmit a channel identifier identifying the second one of the frequency channels as a designated channel for communicating with the base units. In accordance with the claimed invention, a first wireless repeater unit and a second wireless repeater unit monitor the frequency channels and retransmit a first information signal received on a first one of the channels on a second one of the channels. The first wireless repeater unit is configured to receive the first information signal from the one or more base units on the first one of the frequency channels, retransmit it on a third frequency channel, and detect and receive the first information signal from the second wireless repeater unit on the third frequency channel, and retransmit it on the first one of the frequency channels. The second wireless repeater unit is configured to detect and receive the first information signal from the first wireless repeater unit on the third frequency channel, retransmit it on the second one of the frequency channels, and detect and receive the first information signal from the one or more client units on the second one of the at least two frequency channels and retransmit the first information signal on the third frequency channel. Accordingly, an exemplary highway and off-ramp repeater configuration is established with a back-haul channel as described in the specification in connection with, for example, FIG. 2.

Once again, in stark contrast, Bertonis fails to describe such a configuration. At best, in paragraph [0049] of Bertonis, an embodiment is described where upstream signals, e.g. signals

transmitted on a separate upstream channel, are relayed by multiple repeaters to the operating antenna 210. A first repeater receives signals from a subscriber and transmits signals to a second repeater that relays the signals to the operating antenna 210 at the same frequency. The same configuration is used for multi-repeater operation on the separate downstream channel. It is important to note that in Bertonis, there is no disclosure of the use of a third frequency channel for repeater to repeater bi-directional communication such as, for example, the back-haul channel as noted above.

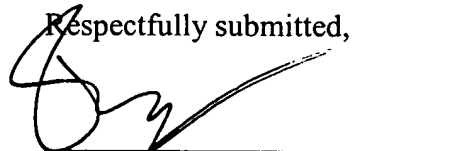
For at least the above noted reasons, a *prima facie* case of anticipation has not properly been established in that Bertonis fails to disclose all the features of independent claims 1, 7 and 14 as required. It is respectfully requested therefore that the rejection of claims 1, 7 and 11 be reconsidered and withdrawn.

Claims 2-6, 8-13 and 15-29, by virtue of depending from claims 1, 7 and 11, are allowable for at least the reasons set forth herein above with regard to claims 1, 7 and 11. It is respectfully requested therefore that the rejection of claims 2-6, 8-13 and 15-29 be reconsidered and withdrawn.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Robert L. Scott, II", written over a horizontal line.

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